

**Amendments to the Drawings:**

Figures 2 and 3 have been amended so as to further include the legend  
“prior art”.

Attachment:           Replacement Sheet  
                              Annotated Sheet Showing Changes

### **REMARKS**

The enclosed is responsive to the Examiner's Office Action mailed on February 18, 2005. At the time the Examiner mailed the Office Action claims 1-28 were pending. By way of the present response the Applicants have not amended or canceled any claims. As such, claims 1-28 remain pending. The Applicants respectfully request reconsideration of the present application and the allowance of all claims.

#### **In the Drawings**

The Examiner has objected to the figures generally for "lack of legends" but has not elaborated on the deficiencies on the legends as filed (see, Examiner's Office Action mailed 2/18/05, pg. 2). The Applicant has included the legend "prior art" to Figures 2 and 3. The Applicant respectfully requests the Examiner to specify what additional legends are required.

The Examiner has requested formal figures (see, Examiner's Office Action mailed 2/18/05, pg. 2). The Applicant has included herewith formal figures.

#### **In the Specification**

In the Examiner's Office Action mailed 2/18/05 the Examiner requested a new Abstract so as not to include legal phraseology (see, Examiner's Office Action mailed 2/18/05, pg. 2). In response, the Applicant has provided herewith

an amendment to the Abstract that no longer includes legal phraseology. The Applicant respectfully requests that any objections pertaining to the Abstract have been overcome.

The Examiner further objected to a statement in paragraph [0004] that refers to network "100" (see, Examiner's Office Action mailed 2/18/05, pg. 2). The Applicant has corrected this mistake by amending paragraph [0004] so as to refer to "network 101". The Applicant respectfully requests that any error with respect to paragraph [0004] has been corrected.

The Examiner objected to the "last line of page 3" stating that "it is not clear what VPI / VCI is" (see, Examiner's Office Action mailed 2/18/05, pg. 2). The Applicant has included herewith, by way of an Information Disclosure Statement, pgs. 551 – 556 of Daniel Minoli "Enterprise Networking *fractional T1 to SONET, Frame Relay to BISDN*" with thoroughly describes the term "VPI/VCI". The term VPI/VCI is a term that is very well understood by those of ordinary skill working in the field of ATM networks (the Minoli reference dates to 1993). It is essentially a connection identifier used by a node within an ATM network.

The Examiner has objected to the unexpanded forms of the acronyms "SIG" and "NSAP" (see, Examiner's Office Action mailed 2/18/05, pg. 2). The Applicant points out to the Examiner that the acronym SIG is expanded in its first occurrence in paragraph [0033] of the Applicants' specification as "System Capabilities Information Group". The acronym "NSAP" is a well understood term by those of ordinary skill working in the field of ATM networks that means

“Network Service Access Point”. The Applicant has included herewith by way of an IDS prior art information that describes an NSAP. It is essentially an identifier for a node within an ATM network.

### **Comments**

The Examiner has rejected claims 1 – 28 under 35 USC 112, paragraph 1 as failing to comply with the enablement requirement (see, Examiner’s Office Action mailed 2/18/05, pg. 2). The enable requirement is directed to whether or not one of ordinary skill would be able to practice the claimed invention without undue experimentation. “It is imperative when attempting to prove lack of enablement to show that one of ordinary skill in the art would be unable to make the claimed invention without undue experimentation.” Johns Hopkins University v. CellPro Inc., 47 USPQ2d 1705, 1718 (Fed. Cir. 1998) (emphasis partly original and partly added).

The Examiner has failed to provide any reasoning in respect of the amount of “undue experimentation” one of ordinary skill would have to practice in order to make the claimed invention. Therefore the Examiner’s rejection is improper. See, MPEP 2164.01(a). The Applicant can easily proclaim that the Examiner’s theory of rejection is untenable primarily because one of ordinary skill would be able to easily, after comprehending the teachings of the present application, incorporate an address change into SIG information.

The Examiner's enablement rejection stressed the failure of the Applicant's specification to describe "how the invention helps to solve the inefficiencies associated with changing the address of an endpoint destination node" (see, Examiner's Office Action mailed 2/18/05, pg. 3). The Examiner's rejection seems aimed more at the "useful" requirement of 35 UCS 101 rather than the enablement requirement of 35 USC 112, paragraph 1. In this light the Applicant respectfully submits that the Applicant has unquestionably put forth in the specification details that can only lead one to reasonably conclude that the claimed invention is "useful".

In fact, perhaps the most basic utility of computer science related technology is automation in lieu of manual effort. The Applicants specification is replete with this specific type of utility.

Specifically, in paragraphs [0021] – [0024] the following comments are made (emphasis added):

[0021] For example, using the SPVC example referred to above as a basis for discussion, if destination endpoint destination node 102<sub>7</sub> is to undergo a change in address value then source endpoint node 102<sub>1</sub> should reflect this change so that SETUP messages for subsequent SPVC connections will be properly directed to destination endpoint node 102<sub>7</sub>. As discussed, the configuration of an SPVC endpoint node is typically performed via manual efforts that are exerted from the network management station 104.

[0022] As such, the SPVC information of source endpoint node 102<sub>1</sub> will be manually reconfigured to reflect the address change of destination endpoint 102<sub>7</sub>. Furthermore, to the extent that node 102<sub>7</sub> acts as a destination endpoint node for other SPVCs within network 101, the corresponding source endpoint nodes for each of these SPVCs should be similarly reconfigured. For example, if nodes 102<sub>2</sub>, 102<sub>3</sub>, 102<sub>5</sub>, and 102<sub>6</sub> each behave as a source endpoint node for an SPVC that is directed to node 102<sub>7</sub>, each of these nodes 102<sub>2</sub>, 102<sub>3</sub>, 102<sub>5</sub>, and 102<sub>6</sub> will also be manually reconfigured to reflect a change in the destination endpoint node 102<sub>7</sub>.

[0023] In complex networks where a single node can act as the destination endpoint for hundreds or thousands of SPVCs, an **extensive manual effort** may be required to reconfigure the source endpoint of each of these SPVCs. The result is high network maintenance and management costs. The inefficiencies associated with the changing of a destination endpoint address can be improved, however, by building a mechanism into the network 101 that automatically reconfigures each SPVC source endpoint that is affected by a change in an SPVC destination endpoint node address change.

[0024] Because the reconfiguration of each affected SPVC source endpoint node is **automatic**, the reconfiguration can be successfully completed **in the absence of manual efforts** that are directed from the network management control station 104. As such, an improvement in network management efficiency is realized. Automatic reconfiguration may be accomplished via the use of PNNI Topology State Elements (PTSEs) which are described in more detail below.

The Applicant respectfully submits that it is not a credible position to maintain that the Applicant's specification does not articulate any utility with respect to the Applicant's claimed subject matter. The applicant's claims are directed to an automated process the import of which, before the Applicant's contribution, was effected manually.

The Examiner has rejected claims 1-9 and 17-24 under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicants regard as the invention (see, Examiner's Office Action mailed 2/18/05, pg. 3). According to the Examiner, the "scope of the claims are not clear". The Applicant respectfully submits that the subject matter being claimed is precisely worded. The Examiner further states that "no meaningful function or improvement is seen". This comment goes more toward the substance of the subject matter being claimed rather than the preciseness to which it is claimed. Only the later concerns 35 USC 112, second paragraph.

Even so, the Applicant provides the following comment. The Examiner has apparently not familiarized himself with paragraphs [0020] through [0034] of the Applicant's specification which develops the essence of the claimed subject matter against the pertinent prior art. Essentially, the Applicants have invented a scheme for automatically installing an address change for an SPVC endpoint using the SIG information field contained in a PTSE field. Review of paragraphs [0020] through [0034] of the Applicant's specification will shed all the light needed to comprehend the immediately preceding sentence.

The Examiner has rejected each of the Applicant's independent claims under 35 USC 103(a) as being unpatentable in light of the Applicant's own admitted prior art and the Eriksson reference (and the Rochberger reference for independent claims 10 and 25). Each of the Applicant's independent claims specify, in some form, an address change contained within SIG information. Yet, none of the reasoning provided by the Examiner in justifying the rejections mention this element. None of the references cited by the Examiner nor the Applicant's own admitted prior art include this element. Therefore, the Examiner's theories of rejection are not reasonably sustainable. At least for these reasons the Applicant respectfully submits that the Applicant's independent claims are allowable.

Because the Applicant has demonstrated the patentability of all pending independent claims, the Applicant respectfully submits that all pending claims are allowable. The Applicant's silence with respect to the dependent claims should

not be construed as an admission by the Applicant that the Applicant is complicit with the Examiner's rejection of these claims. Because the Applicant has demonstrated the patentability of the independent claims, the Applicant need not substantively address the theories of rejection applied to the dependent claims.

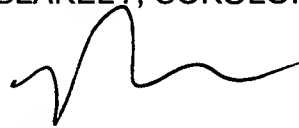
Applicant respectfully submits that all rejections have been overcome and that all pending claims are in condition for allowance.

If there are any additional charges, please charge them to our Deposit Account Number 02-2666. If a telephone conference would facilitate the prosecution of this application, the Examiner is invited to contact Robert B. O'Rourke at (408) 720-8300.

Respectfully submitted,

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Date: 6/20/05



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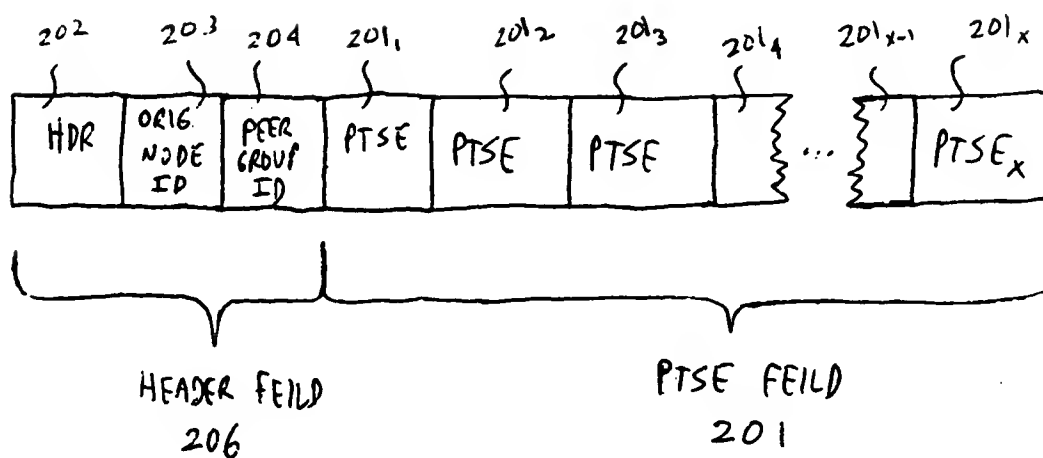


FIG. 2  
(PRIOR ART)



301

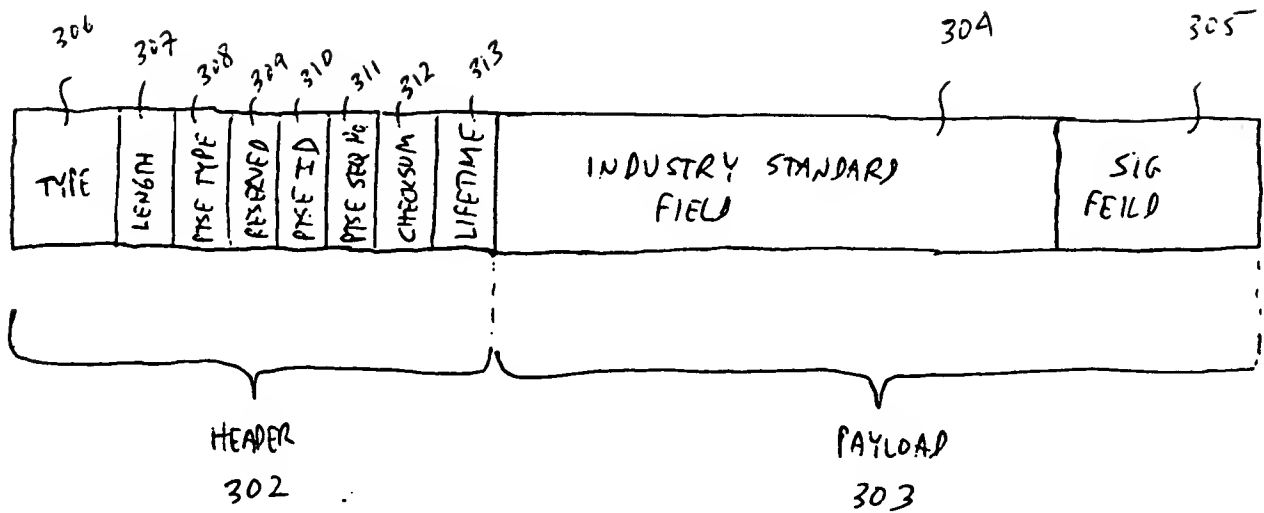


FIG. 3

(PRIOR ART)